

Serial No.: 09/679,802
Attorney Docket No.: F-209

Patent

REMARKS

Claims 1 -23 were currently pending in the Application. Applicant has amended claims 1, 9 and 17. Applicant respectfully requests entry of the above amendments and consideration of the enclosed remarks. Applicant submits that no new matter is added. A Notice of Appeal is filed concurrently herewith. The Amendments are submitted solely to place the present application in condition for allowance or in better condition for appeal.

In section 2 of the Office Action, the Examiner again discusses a priority claim that the Applicants do not understand. Applicants suspect that the priority discussion is in error and again request that the Examiner withdraw the objection.

Claim Rejections

In sections 6-14 of the Office Action, the Examiner rejected Claims 1-5, 8-13, 16-20 and 23 under 35 U.S.C. 102(e) as allegedly anticipated by U.S. Patent No. 6,289,323 to Gordon ("Gordon '323").

In sections 15-18 of the Office Action, the Examiner rejected Claims 6, 7, 14, 15, 21 and 22 under 35 U.S.C. 103(a) as allegedly rendered obvious by U.S. Patent No. 6,289,323 to Gordon ("Gordon '323").

Applicants respectfully request entry of the enclosed amendment to claims 1, 9 and 17 that clarifies that the payment to the payee for the payment amount is in response to the receipt of payment data.

Applicants respectfully submit that the above amendments are submitted solely to place the present application in condition for allowance or in better condition for appeal.

It is clear from Gordon '323 that the payment described by Gordon is made after receipt of a card such as an endorsed card.

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As is more clearly pointed out in the amended claims, the payment to the payee for the payment amount is in response to the receipt of payment data. Such a system is not fairly taught or suggested by the prior art of record.

Accordingly, Applicants respectfully request the Examiner withdraw the rejection.

Accordingly, Applicants submit that the invention as presently claimed in claims 1-23 is patentable over the cited references and in condition for allowance.

CONCLUSION OF REMARKS

For at least the reasons stated above, it is respectfully submitted that the remaining claims of this application are in condition for allowance and early and favorable action thereon is requested.

If the Examiner believes that additional issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned attorney for Applicant at (203) 924-3180.

AUTHORIZATION

No fee, other than the fee for the enclosed petition for extension of time, is believed due with this response. However, the Commissioner is hereby authorized to charge any additional fees which may be required for the response or credit any overpayment to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-209.

In the event that an extension of time or additional extension of time is required to make this response timely filed, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely. The Commissioner is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-209.

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Respectfully submitted,



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